

CITY OF PULLMAN
COUNCIL CHAMBERS

COUNCIL MEETING
AGENDA

FEBRUARY 24, 2009
7:30 p.m.

The Pullman City Council welcomes you to tonight's meeting. The Council appreciates and encourages public participation. For regular agenda items, an opportunity for public comment is usually provided after the staff report. However, the formality of procedures varies with the purpose and subject of the agenda item; therefore, the Mayor may exercise discretion in deciding when to allow public comment during the course of the proceedings and limitations will be placed on the time allowed for comments. Citizens wishing to comment on business which is not on the agenda will be provided the opportunity to do so under NEW BUSINESS. If you plan to address the Council, you will find a list of "Tips for Addressing the Council" on the public information table in the City Council Chambers. Thank you for your interest in City government.

- A. Roll Call: _____ Francis Benjamin _____ Barney Waldrop
 _____ Keith Bloom _____ Nathan Weller
 _____ Ann Heath _____ Pat Wright
 _____ Bill Paul

B. Announcements

C. Reports

2008 Police Department Annual Report
Stormwater Report

D. Election of Mayor Pro Tempore and Alternate Mayor Pro Tempore

E. Consent Agenda

The items listed under the Consent Agenda are considered to be routine in nature and will be enacted by a single motion of the Council without separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by Council action.

Motions

1. Dispense with the reading of the minutes of the regular meeting of February 3, 2009, and approve them as submitted.
2. Dispense with the reading of the minutes of the special meeting of February 11, 2009, and approve them as submitted.

3. A motion to refer a Claim for Damages submitted by Tom Webber for the sum of \$880.00 to the Washington Cities Insurance Authority (WCIA).
4. A motion to refer a Claim for Damages submitted by Erica Jensen for the sum of \$1,649.11 to the Washington State Transit Insurance Pool (WSTIP).
5. A motion to refer a Claim for Damages submitted by Rudy Fisher for the sum of \$906.47 to the Washington Cities Insurance Authority (WCIA).
6. A motion to refer a Claim for Damages submitted by Kimberlee Moore for an undetermined amount to the Washington Cities Insurance Authority (WCIA).
7. A motion to accept a 2009 Pre-hospital Participation grant from the State of Washington Department of Health for distribution to trauma verified pre-hospital services for the estimated minimal amount of \$1,650.
8. A motion setting March 10, 2009, as the date for a public hearing to consider a petition for annexation of property submitted by Keith Kopf, L.L.C.

Resolution

9. Resolution No. R-7-09 - A RESOLUTION ACCEPTING THE BID OF M.L. ALBRIGHT & SONS, INC. FOR THE ROCKY WAY BARRIER AND AUTHORIZING EXECUTION AND DELIVERY OF THE CONTRACT FOR SAID PROJECT.

Ordinance

10. Ordinance No. 09-4 - AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FROM WASHINGTON STATE UNIVERSITY.

F. Regular Agenda

Public Meeting

11. A public meeting on a motion approving the concept of the University District.

Ordinances

12. Ordinance No. 09-5 - AN ORDINANCE ACCEPTING A RESTRICTED MONETARY DONATION FROM THE BIBLIOGRAPHICAL CENTER FOR RESEARCH, ON BEHALF OF THE GATES FOUNDATION, TO THE CITY OF PULLMAN FOR REPLACEMENT OF PATRON INTERNET COMPUTERS AT NEILL PUBLIC LIBRARY.

13. Ordinance No. 09-6 - AN ORDINANCE ACCEPTING A MONETARY DONATION FROM INLAND NORTHWEST COMMUNITY FOUNDATION FROM THE THOMAS C. AND WINIFRED NEILL ENDOWMENT FUND TO THE NEILL PUBLIC LIBRARY TO BE USED FOR GENERAL SUPPORT OF THE LIBRARY.
14. Ordinance No. 09-7 - AN ORDINANCE ACCEPTING A RESTRICTED MONETARY DONATION FROM INLAND NORTHWEST COMMUNITY FOUNDATION FROM THE ROBERT AND ANNA NEILL LIBRARY FUND TO BE USED FOR ENLARGEMENT AND IMPROVEMENT OF NEILL PUBLIC LIBRARY.

Resolution

15. Resolution No. R-8-09 - A RESOLUTION AUTHORIZING AND DIRECTING THE PURCHASE OF PROPERTY FROM DAVID R. BROWN AND LAURIE A. BYERS-BROWN.

Motions

16. A motion to authorize a funding request from the Shirrod Family Memorial Fund for \$45,109 for Heritage Addition design and furniture and to pay for the City's Government Buildings annual charges for building maintenance.
17. A motion to authorize the submission of a grant application to the Inland Northwest Community Foundation for the Pullman Fresh Food Market project.

Discussion

18. 2009 Property Tax

G. New Business

Members of the public may bring items of new business to the attention of the Council under this agenda item. However, we strongly encourage advising the Mayor or City Supervisor of your intention prior to the meeting to ensure the item is properly an item of new business and, if not, if the matter could be addressed in some other manner.

- H. Tentative Council Agenda for March 3, 2009
Pre-Goal Setting Discussion: (1) Transportation Issues
(2) Planning Issues (3) Housing Issues (4) Performing Arts Pavilion Update (5) Financial Outlook

Tentative Council Agenda for March 7, 2009
City Council Goal-Setting Retreat at the Hilltop

Tentative Planning Commission Agenda for February 25, 2009
Askins Property Zoning Designation

College Hill Workshop Recap

Tentative Board of Adjustment Agenda for March 16, 2009 - Canceled

THE COUNCIL CHAMBERS ARE ACCESSIBLE TO PERSONS WITH DISABILITIES. PERSONS REQUIRING SPECIAL ACCOMMODATIONS, SHOULD CONTACT THE FINANCE DEPARTMENT BEFORE 5:00 P.M. THE MONDAY PRECEDING THE COUNCIL MEETING. THE FINANCE DEPARTMENT IS LOCATED ON THE FIRST FLOOR OF CITY HALL, 325 SE PARADISE STREET, PULLMAN, WA 99163. TELEPHONE NUMBER 338-3209 or 338-3208, FAX NUMBER 334-2751, ADD NUMBER 7-1-1.



CITY OF PULLMAN

Police Department

260 S.E. Kamiaken, Pullman, WA 99163
Police Business (509) 334-0802 Police Fax (509) 332-0829
<http://www.pullman-wa.gov/departments/police>

PULLMAN POLICE DEPARTMENT 2008 ANNUAL REPORT

SIGNIFICANT EVENTS

➤ Broken Jaw Assault

On January 21 a Korean-American student was assaulted at Stubblefield's bar (also known as Mike's Bar) on Colorado Street. There was significant public interest in this assault because of the possibility that the incident was racially motivated. In February, at the request for a member of the Commission for Asian Pacific American Affairs a meeting was held at Washington State University. The incident was fully discussed by the victim. Subsequently a reward was offered by private persons for information leading to the arrest and conviction of the perpetrator. The investigators were able to locate a photograph of the crowd at the time of the assault and were able to establish that the actions of one person in that crowd were of such a nature that this individual is a person of interest. Unfortunately the photograph shows the back only. At year's end no suspect was identified.

➤ Emphasis on Party Trash Enforcement

Trash problems during and after parties continued to be a problem on College Hill. While Steve Murphy, code enforcement official in the Parks Division, attempted to deal with the problem, timeliness of enforcement was a problem because Steve does not work during the hours when the offenses begin. Beginning in February Sergeant Sam Sorem took initiative to have a police emphasis in enforcing the ordinance dealing with trash. The results were impressive including residents cleaning the trash up very early in the morning and landlords getting involved. 18 infractions for nuisance trash violations were issued in 2008, all of them on the shifts that Sergeant Sorem supervised. In addition, it was not unusual on weekend mornings to find residents who had parties the night before cleaning up the trash, at times upon the arrival of a police

officer. Sergeant Sorem's leadership in this area was recognized within the Department at mid-year.

➤ **Bomb Squad Call Out**

On March 25 a citizen reported a suspicious suitcase type object. Upon visual examination and using digital photographs sent to the regional bomb squad in Spokane a determination was made to treat the contents as potentially dangerous. The bomb squad responded to Pullman and using the robot determined that the contents were not explosive. Personnel from Washington State University also assisted in identifying the contents. Investigation revealed that relatives of a person who was deceased had cleaned out contents at a residence of the deceased and had decided to throw away the case and contents. The contents were appeared to have been used as part of the deceased's education endeavors.

➤ **Sexual Assault Arrest**

In March of 2004 a burglary and rape occurred at a residence on Wheatland Drive. Physical evidence was obtained including fingerprints and DNA. There were no fingerprint matches at the time. Hover in 2007 Bert Mageo was arrested on a criminal charge in western Washington. Upon being convicted he was fingerprinted and his prints were matched to the fingerprint evidence collected at the scene of the burglary and rape. On May 30 a warrant was issued for Mageo and he was arrested for the crimes and booked in the Whitman County jail on June 3. Subsequently a DNA match was made in the crime, linking Mageo to the scene.

➤ **Another Broken Jaw Assault**

On September 6 at Stubblefield's bar (also known as Mike's bar) a male was assaulted after a short exchange of words. The victim felt that the assault may have been racially motivated. A forensic artist was called in and a sketch of the suspect was released to the media. At year's end no suspect had been identified.

➤ **Gender Based Harassment**

In the evening hours of October 26 a male reported being harassed by a person who chased him to the victim's vehicle where the victim sought refuge. The culprit used verbiage that met the definition of a gender based crime. As of October 30 a forensic artists sketch was made of the suspect and released to the media and public at a joint City Council/ASWSU meeting. Other gender based attacks were reported on the WSU campus within a few days of this incident but the crimes could not be determined to be related. No suspect has been identified in this crime. Mayor Johnson issued a proclamation on October 30 "that acts of violence against any member of our community based upon race, ethnicity, religion, gender, age, sexual preference or orientation, physical or mental

disabilities and social, economic, or cultural background are not to be tolerated and such acts will be aggressively investigated by the Pullman Police department”.

➤ **Sexual Assault Conviction**

In the early morning hours of September 13, 2007 two males entered the Kappa Alpha Sorority and sexually assaulted a female who had been asleep prior to the attack. The suspects fled down a fire escape. The investigation revealed that the two suspects had committed burglaries at the Delta Gamma and Pi Beta Phi sororities. Based on tremendous cooperation from the fraternity and sorority members a suspect was identified and arrested on September 14. Subsequently a second suspect was identified and on September 17 a warrant was issued for his arrest. The second suspect turned himself into the custody of Pullman police officers in Pullman on September 19. Christopher Jack Reid was convicted of rape on October 24 and sentenced on December 5 to life in prison but eligible for parole in 9 years. Kyle M Schott, Reid's accomplice plead guilty earlier in the year and was sentenced to 13 months in prison.

➤ **Suspicious Device Attached to a Bridge**

On September 23 two youths discovered a device attached to the bridge crossing the South Fork of the Palouse River at Spring Street. Digital photographs were forwarded to the regional bomb squad in Spokane. A review of the device and wires was a mystery. Being unable to find anyone who could account for the device a Pullman police officer, trained to recognize improvised explosive devices in the military, approached the device and retrieved information that led to the identification of the device as a graduated student's experiment regarding pollution. The bomb squad did not have to respond.

➤ **Intoxicated Hit and Run Driver**

In the very early morning hours of December 5 an intoxicated male left the Zeppoz parking lot, struck a curb and blew out a tire but continued to drive on Bishop Boulevard to Professional Mall Boulevard where several vehicles were struck and a trailer in a trailer park. He then drove onto the pedestrian/bicycle trail, striking a bridge and then proceeded off the trail onto SR 270 driving to Moscow where he was stopped by Moscow police and arrested for driving under the influence. He is facing seven counts of hit and run in Pullman.

➤ **Sexual Assault on Valley Road**

In the early morning hours of October 7, 2007 a female, on foot, had become lost and was approached by a male who offered to help find her friends. The suspect lured the female into an apartment and sexually assaulted her. The female was able to escape and fled to a street, was assisted by citizens who transported her to

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the Pullman Police department. In April 2008 the Pullman Police department was advised of a positive DNA match with Fousseyni Kone who currently lived in Alaska. A warrant for Kone was obtained and he was arrested by Alaska authorities and extradited to Washington in October 2008 and was booked in the Whitman County Jail.

ACTIVITIES

➤ Sexual Assault Forum

Council member Waldrop became very involved in community awareness and was instrumental in providing a report at the November 6, 2007 City Council meeting on the issue of sexual assault in Pullman, to include Washington State University. On February 7 a Sexual Assault Forum was held in the City Council Chambers and was televised on Channel 13. Chief Weatherly was one of the members of a diverse panel that spoke to the issue and answered questions from the audience. Other members of the panel were Chris Wuthrich, Assistant Director of WSU Officer of Student Conduct; Christine Wall, Executive Director of Alternatives to Violence of the Palouse; Anna Nofsinger, RN, Pullman Regional Hospital; Cassandra Nichols, Psychologist, WSU Counseling Services; Byron Bedirian, Whitman County Prosecutor's Office; Angie Jeffries, WSU Student Representative; and Gregg Hooks, Chair of Sociology WSU and panel moderator. The forum was attended by approximately 60 persons from a broad spectrum of the community. Feedback on the forum and televised portion was very positive.

➤ Fighting Ordinance Adopted

On April 8 the City Council adopted ordinance 08-06, the "fighting ordinance". Violation of the ordinance is a civil infraction and involves causing, involving or engaging in any fight, brawl or other violent or threatening behavior. In addition the ordinance prohibits any act which tends to create or incite, or in fact creates or incites, either a violent response and/or an immediate breach of peace. First offenders are fined \$250. Subsequent offenses require a mandatory court appearance and a minimum \$500 fine and a maximum of \$1,000. Since adoption of the ordinance in April, fifteen infractions were issued for violations by the end of 2008.

There are a number of variables that were proposed to be used to measure the impact of our effort to control fighting. I identified those variables in a memorandum discussing the 2007 Council adopted goal #7 that stated:

Consider adopting public safety ordinances including an open container ordinance, an ordinance on fighting, etc.

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Those variables are reported assaults, reported disorderly conduct incidents and reported citizen dispute incidents. Below are the annual numbers from 2000 through 2008:

ASSAULTS

2000	2001	2002	2003	2004	2005	2006	2007	2008
95	97	105	133	115	114	134	134	254

DISORDERLY CONDUCT

2000	2001	2002	2003	2004	2005	2006	2007	2008
96	91	125	165	134	174	203	203	137

CITIZEN DISPUTES

2000	2001	2002	2003	2004	2005	2006	2007	2008
99	81	86	64	55	68	81	100	81

➤ **Itinerant Vendor Ordinance**

On July 8 the City Council adopted ordinance 08-10. The ordinance states “No person, corporation, partnership or other organization shall engage in the business of an Itinerant Vendor within the City limits without first obtaining a permit from the Pullman Police department. If any individual is acting as an agent for or employed by an individual, corporation, partnership or other organization, both the individual and the employer or principal for whom the individual is acting must obtain a permit as provided in this chapter.” The ordinance requires that the Police department determine the accuracy of the information contained in an application and conduct a criminal history background investigation of the applicant within fourteen (14) days of the application being completed. The Chief may approve or deny the application. The permit is valid for only ninety days. Two permits were issued in 2008. One magazine sales group was deterred because of the ordinance and said they were just going to move to another community.

➤ **Citizen’s Academy**

Budget savings again allowed a Citizen’s Academy to be provided. Commander Tennant was in charge of this academy. The academy began September 24th and ended December 3rd. This year only 6 citizens attended the academy. The academy was held on Wednesday nights and some Saturdays.

➤ **Amber Alert Day**

Charlene Jasper, owner of *The Daily Grind* and *Licks* contacted the police department in the spring to offer an “Amber Alert Day” at *Licks*. School

Resource Officer Mike Crow coordinated the event and approximately 135 families participated in the child identification event on June 7.

➤ **Business Registration Ordinance**

On August 26 the City Council approved Ordinance 08-14 requiring commercial businesses to register in Pullman for public safety reasons. The effective date is July 1, 2009. The City will partner with Master Licensing Service to implement the registration. The police department will administer the registration.

➤ **Riverwalk Parking Lot Permits**

On September 16 the City Council adopted Ordinance 08-16 establishing the sale of permits for the easterly 60 parking spaces in the Riverwalk parking lot. Businesses may purchase up to five permits. The permit allows parking in the lot between the hours of 5 p.m. and 8 a.m., Monday through Friday and all day on Saturdays, Sundays and holidays. This was a change in the number of parking spaces allowed for permits that had been approved on August 12 in Ordinance 08-12. The sale of thirty permits under the first ordinance occurred in approximately 30 minutes with 9 businesses participating. As of the end of the year 60 permits had been sold to a total of 18 businesses.

➤ **Emergency Communications Advisory Committee**

In March 2006 the Whitman County voters approved a one-tenth on 1 percent sales tax to assist in funding emergency communications. The sales tax receipts began in July 2006. Chief Weatherly was appointed for a two year term on the committee. Upon expiration of Chief Weatherly's term in 2008 he recommended that Commander Tennant be appointed to the committee. The basis for this recommendation is the planned retirement of Chief Weatherly and continuity of this position is critical to the needs of Pullman. Commander Tennant was appointed as a member of the committee replacing Chief Weatherly.

➤ **Emergency Management**

A review of the of the City's Comprehensive Emergency Management Plan (CEMP) was begun in 2008. The review and a completed revised plan is anticipated at the end of 2009. While the snowfall in Pullman in 2008 was record breaking both in early 2008 and the latter part of 2008, the melt off was such that no flooding occurred either time. However, department heads reviewed flood responsibilities and procedures. Public works personnel took necessary measures to reduce flood problems in the downtown area. In September an Airport Disaster Drill was conducted with involvement by police and fire departments from Pullman and Moscow.

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➤ Fireworks Enforcement

A new fireworks ordinance took effect in 2006. The emphasis on fireworks is education and enforcement. The Fire and Police departments worked together to provide education in the form of public service announcements and media releases. Below is the result of the enforcement efforts during the Fourth of July holiday period.

<u>Year</u>	Total police Calls	Total fireworks Calls	<u>Dispositions</u>			
			Unable to locate	Unfounded (actions were legal)	Enforcement action was taken	Other (warning, case pending, etc.)
2003	202	27	17	2	0	8
2004	196	46	28	7	1	10
2005	207	52	26	14	6	7
2006	221	47	23	6	8	11
2007	232	28	16	4	1	7
2008	219	32	17	1	5	9

➤ DUI Cost Recovery

Based on City Council direction a DUI cost recovery affidavit process began in October 2006. DUI Cost Recovery Worksheet Affidavits for non adjudicated cases were prepared and submitted for reimbursement (upon conviction). In 2007 there were 108 DUI cases and 101 DUI Cost Recovery Worksheet Affidavits were submitted. 2 cases were unfounded and 5 others should have had DUI Cost Recovery Forms done. In 2008 there were 156 DUI cases and 156 DUI Cost Recovery Worksheet Affidavits were submitted.

➤ Open Container in Public Ordinance

City Council adopted 2007 Goal #7 was “consider adopting public safety ordinances including an open container ordinance, an ordinance on fighting, etc.” On August 21, 2007 the City Council adopted ordinance 07-18 (City Code Chapter 5.55) prohibiting any person to consume any beer, wine or any other intoxicating liquor, or have in his or her possession any opened containers or receptacles containing any beer, wine or any other intoxicating liquor on any sidewalks, streets or public place within the city or in any vehicle parked or moving on public streets, or at any other place within the city other than a private residence

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or upon premises licensed for the sale and consumption of beer or liquor or upon premises whereon beer or intoxicating liquor is sold by a license under the laws of the state. The first violation is a fine of no less than \$250 and a second and subsequent violation is no less than \$500. In 2007 officers had enforced 11 violations of this ordinance. In 2008 officers enforced 21 violations of the ordinance. My observations during the fall indicate that people are aware of the ordinance and the numbers of open containers in public appear to have diminished.

➤ **DARE Interlocal Agreement with Pullman School District**

When Officer Sanders left the department the Police Advisory Committee recommended that a review of the DARE program be undertaken with the Pullman School District. In the early spring the review was completed and the School District expressed the desire to continue with the program. Officer Mike Crow had been appointed the School Resource Officer position and subsequently received DARE teaching certification. He determined that DARE America required an interlocal agreement with the local school district before the DARE curriculum was taught. The Council authorized the agreement on October 14.

➤ **Residential Rental Unit Registration**

On October 18 the City Council passed Ordinance 08-19 requiring residential rental unit registration. The registration will take place at and be administered by the police department. Registration is required beginning July 1, 2009.

➤ **Photograph Montage**

For several years the department has had a goal to “develop a police employee photograph montage to be placed in a hallway for viewing by the public.” Digital photographs were taken in 2003. Design of the frame for the montage was not completed in 2004. The photographs turned out not to be the desired quality for such an endeavor. In 2007 funding for a professional photographer to accomplish this objective were budgeted. Photographs were taken and frames were provided. In 2008 the photograph montage was installed in the upstairs hallway.

PERSONNEL

➤ **Strategic Staffing Concept**

On August 28 Chief Weatherly presented to the City Council a report entitled Pullman Police department Strategic Staffing Concept. This report contained references and included Chapters on Studies, Citizen Input and Response Issues, Subjective Employee Input, Variables in Consideration of Police Staffing, Police department Structure and Operation, Turnover of Staffing, Equipment and Supply Considerations for Additional Staffing, Recommended Staffing Priorities and Funding of Priorities.

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Chief Weatherly recommended creating a position of parking enforcer for downtown parking only in 2008. He then recommended a three year staffing concept.

The parking enforcement position for down town parking was approved by the City Council on July 8 and was classified as a Code Enforcement Officer I. Gary Labusohr was hired for this position on July 21.

The City Council did not act on other recommendations in 2008. Those recommendations were:

Year 1: Add three or four police officers. Once one of these additional police officers is trained then assign a police officer from patrol to special operations unit to handle fraud cases. This creates an addition of two police officers for patrol. The fourth police officer would be utilized if an agreement for funding for a SRO is reached with the school district.

Year 2: Add four police officers. Once these additional police officers have been trained, assign one officer as a traffic enforcement/day shift beat officer for patrol on College Hill. Promote a police officer to sergeant and begin assignment of the patrol administrative sergeant. This creates three additional police officers and one patrol sergeant for patrol for a total of four police officer assigned to patrol from the base year. Add a civilian training and programs specialist and institute a police cadet/police reserve program.

Year 3: Add three police officers. Once these additional police officers have been trained, assign one police officer from patrol to special operations unit as a retail business liquor and gambling enforcement officer. Then assign one officer as a traffic enforcement/night shift officer. Add a civilian crime prevention specialist/investigative assistant. Test for police lieutenant and at the end of the third year convert the special operations sergeant position to a lieutenant position.

➤ **Commissioned Police Officers**

On February 1 Officer Ernest Sanders left the department to take a job with a larger western Washington Agency. Officer Mike Crow was selected to assume the School Resource Officer position on March 17, replacing Officer Sanders.

On March 3 Officer Brandon Koe was hired to replace the commissioned position left vacant with the departure of Officer Rohrbach (who left in 2007).

On March 22 Officer Brian Dentler terminated employment with the department.

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On May 1 Officer Carl Bell ended his tour as a College Hill Beat Officer. He was very popular with the college students in the Greek Row area (his beat). On July 1, 2004 he was assigned as the South College Hill Beat Officer. Officer Bell's work with the Washington State University students resulted in unprecedented respect from College students. Officer Bell gave out his cell phone number for students to call, established a "Facebook" site so people could contact him electronically, spent hours beyond his scheduled duty time to work with students and intervened in numerous situations to quell potential conflicts between students, between students and Washington State University and between students and City Officials. It was not uncommon for persons having issues with the police to ask for Officer Bell.

As the years progressed, the reported law violations on the North College Hill Beat declined, particularly noticeable to officers in 2007 and early 2008. The "Senior Golf" event, which had grown into a major crowd problem, was non-existent by the spring of 2008 in great part due to Officer Bell's efforts. Cooperation with all police officers increased from 2004 through the spring of 2008.

Near the end of the spring semester of 2008 Officer Bell announced that he was ending his assignment as a beat officer. There were newspaper articles on the Daily Evergreen and The Pullman/Moscow Daily News in reference to his ending the assignment, a representation of his impact with both the WSU student body and the broader community. Washington State University students, Washington State University staff and Pullman police staff members have given accolades to Officer Bell. Officer Bell was recognized by the department for his leadership in this assignment.

On May 9, Detective Rick Peringer was off duty and was a pedestrian in a crosswalk at Main and Grand when he was struck by an automobile and hospitalized. Detective Peringer was to retire at the end of May and had competed for a civilian position of Property and Evidence Specialist, a vacant position created when Jayme Turnbow left the department for another job. He retired at the end of May and assumed the civilian position in June.

On June 5 Officer Mark Eley left the department to take a job with a larger western Washington Agency.

On July 15 Officer Corey George was hired to replace the commissioned position left vacant with the departure of Officer Sanders.

On July 16 Officer Terry Chamberlin was hired to replace the commissioned position left vacant with the departure of Officer Dentler.

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On July 17 Officer Ryan McNannay was hired to replace the commissioned position left vacant with the departure of Officer Eley.

On July 18 Officer Shane Emmerson was hired to replace the commissioned position left vacant with the retirement of Officer Peringer.

➤ **Code Enforcement Officers**

Sharon Schnebly was hired on March 3 replacing the vacancy left when Jayme Turnbow left to accept the position as property evidence custodian in 2007. On July 21 Gary Labusohr was hired as a Code Enforcement Officer I and his duties are primarily to enforce parking in the downtown area. Elizabeth Schaeffer and Sharon Schnebly were reclassified as Code Enforcement Officers II.

➤ **Support Services Personnel**

On May 1 Records Specialist I Sharon Herbert left the department as her family moved out of the area.

On May 11 Property and Evidence Specialist Jayme Turnbow left the department to accept another position in another city.

On June 1 Rick Peringer was hired as a Property and Evidence Specialist replacing Jayme Turnbow.

On July 7 Stacey Graham was hired as a Records Specialist I filling the vacancy left when Sharon Herbert left the department.

➤ **Professional Reserves**

By the end of 2008 Richard Huggins the volunteer “Emergency Management Planner” one psychologists and one chaplain were the only persons in the professional reserve program. These individuals had little active participation in the program in 2008. As was stated in the 2007 annual report consideration is being given to replacing the professional reserve program with a “Citizens Emergency Response Team”.

In the Pullman Police Department Strategic Staffing Concept (2007) Chief Weatherly addressed the professional reserve program stating:

The Pullman Police department has a program called “Professional Volunteers”. While the program has fostered interest from citizens over the years, including police chaplains, in recent years the program has waned. The professional reserves have helped with projects such as domestic violence follow up, delivery of death messages, assisting with

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victims of tragic events and volunteer professionals assisting in hostage negotiations.

In addition, discussed in the report were coordination issues.

“If police departments are to maintain and improve their service capabilities police administrators are justified in giving greater attention to the use of civilian specialist personnel as a realistic and economical alternative.”ⁱ The use of volunteers, cadets and reserve officers is very important to the community and police department. Experience in coordinating programs has led to the conclusion that coordination is important and requires focused energy, time and commitment. Through the years commissioned police officers have performed functions including coordinating citizen academies, coordinating reserve officer training and assignment, coordinating block watch, coordinating ride-a-longs, coordinating professional reserves and general public programs.

Finally, the report recommends a civilian training and programs specialist.

The individual in this position would also coordinate citizen academies, coordinate a police cadet/reserve officer program, coordinate WSU interns, a citizen emergency response team (CERT), and special events such as parades and the Lentil festival. Block watch issues would be placed under Special Operations. The position is anticipated to provide significant reduction of time commitments by the police operations commander, sergeants and police officers. In addition continuity and consistency of these functions will show great results.

➤ Police Advisory Committee

Members of the Police Advisory Committee at the end 2008 were:

REPRESENTING	PRIMARY	ALTERNATE
Pioneer Hill	Karen Kiessling	Richard Hume
Sunnyside Hill	Phyllis Stallcop	Phyllis Stallcop
Military Hill	Marcus Crossler	Matt Nobles
College Hill	Barbara Hammond	KNona Liddell
Business Community	Mike Lowery	Al Sorensen
ASWSU		
Lincoln Middle School PTA		
Pullman High School Students	Dallin Larsen	Alex Wilson
WSU Staff and Faculty	Arlene Parkay	Zach Hays
Pullman High School Parent	Greg Wilson	
Multicultural Representative	DaVina Hoyt	

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In 2008 there were 9 meetings. Among items discussed were:

- Constituencies issues (at each meeting)
- Digital highway billboards
- WSU student's Facebook party invitation issue
- Newspaper delivery vehicle issue
- Holiday burglaries
- February 7 sexual assault forum
- Snow removal
- Women's transit
- University district proposal
- Fighting ordinance
- New WSU police chief
- Citizen survey results
- DARE issues
- New school resource officer
- Downtown parking enforcement
- Animal licensing
- Lentil festival participation
- Bishop Boulevard project report
- Concealed weapons issues
- Alcohol in parks
- Bicycle registration
- Graffiti removal
- Televised committee meetings
- Parking on Larry Street for high school football games
- Extended bar hours issue
- Koppel farm gardens vandalism
- Citizen's complaint

CITY COUNCIL GOALS

Below are the 2008 goals that involved some or all police department resolution:

9. In the interest of public safety, continue to explore the creation of a business registration program that includes rental housing and continue to pursue options with WSU relating to the creation of an off-campus housing office.

STATUS:

Much activity took place regarding this goal in 2008. In addition to the discussions earlier in the year, on April 8 the City Council conducted a public meeting on business registration. Discussions were subsequently held on a draft business registration ordinance at City Council meetings on May 6 and May 20. At the City Council meeting on June 24 the City Council discussed an itinerant business ordinance. On July 8 the City Council adopted an itinerant vendor

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ordinance and fee schedule. On August 12 the City Council held a discussion on business registration and rental registration. The City Council adopted a business registration ordinance and fee schedule at the City Council meeting on August 26. The City Council adopted the residential rental unit registration and fee schedule on November 18. With respect to the creation of a WSU off-campus housing office, much progress was made on this issue as well. WSU agreed to develop the office and to launch a voluntary off-campus rental inspection program which will be known as Cougar Choice housing.

11. Consider adopting an emergency snow removal and street cleaning ordinance to address the problem of parked vehicles that impede snow and gravel removal efforts.

STATUS:

A discussion of snow removal took place at the City Council meeting on October 21. At the City Council meeting on November 18 the City Council adopted a resolution authorizing the Public Works Director to declare a snow emergency and have vehicles removed from the streets. A snow emergency was declared on December 18. Parking restrictions were implemented on December 23 on one street (Irving Street) with mixed results due to the WSU winter break.

14. Consider the installation of surveillance cameras at key critical intersections and high risk public locations with the use of grant funding.

STATUS:

Officer Don Heroff was assigned to light duty in June and researched the goal. His research identified several **high activity locations**/needs for the surveillance cameras and those are as follows:

Intersections

Colorado Street at Monroe Street
Colorado Street at "A" Street
Colorado Street at "B" Street
Colorado Street at "C" Street
California at Monroe Street
Grand Avenue at Stadium Way
Grand Avenue at Davis Way
Grand Avenue at Main Street

Fixed Locations

Adams Mall North parking lot

Special Deployment

Needed for specific location short term problems

2008 Police Department Annual Report

Issues yet to be addressed include the following:

Hardware

Identifying the surveillance camera outdoor capabilities, camera quality and options such as pan and zooming

Identifying the storage system and capabilities (how long does the video data stay stored and how is it retrieved)

Capability for use on computers in the police patrol vehicles

Infrastructure

Question of using hardwire or wireless or a combination thereof

Before pursuing the various alternatives and related costs, Chief Weatherly requests feedback on the Council's response to locations. If no further locations are identified or deleted, then costs, funding alternatives and an implementation plan will be developed but this will require more time and mid-2009 appears to be a realistic date for presentation of the results of this goal.

16. Review existing ordinances and their enforcement.

STATUS:

A code enforcement meeting was held on August 19 with code enforcement staff from various city departments. The City Attorney conducted considerable research on various city enforcement codes prior to the meeting. A subsequent follow-up meeting with code enforcement staff was held on November 5.

18. Review and act upon the recommendations of the Planning Commission and staff relative to downtown parking.

STATUS:

A discussion of downtown parking was held at the City Council meeting on April 8. A public meeting on downtown parking issues was held at the City Council meeting on July 8. At the City Council meeting on July 8 the City Council also passed a motion to create a new Code Enforcer position to enforce parking in the downtown area and elsewhere. At the City Council meeting on August 12, the City Council passed an ordinance regarding the Riverwalk parking lot. At the City Council meeting on September 9 a report was presented on the sale of Riverwalk parking permits. Public concerns were raised by downtown businesses pertaining to the cap of 30 on the number of permits being sold within the 76-space Riverwalk parking lot. At the City Council meeting on September 16 the City Council passed an ordinance raising the number of downtown business permits from 30 to 60.

2008 Police Department Annual Report

ACTIVITY

In 2008 there were 10,643 police calls for service. Police calls for service include officer-initiated calls, which involve police action with the exception of routine traffic activity and miscellaneous citizen contacts. There were 2,114 officer case reports (that required specific clearance codes), 346 cases submitted to the prosecutor for charges, 802 physical custody arrests, 549 criminal citations (in lieu of physical custody arrests), and 139 city code violations.

There were 773 notices of infractions issued in 2008, a majority being traffic infractions. In addition, officers issued 3,197 traffic warnings. In relation to the parking enforcement downtown not that in just 5 months of 2008 the numbers of infractions for overtime parking is more than double that of the previous two years

➤ Parking Enforcement Statistics

Parking Enforcement Statistics	2006	2007	2008
1.) Notices of infractions issued	5895	3785	5493
2.) Overtime downtown	629	403	1441
3.) Chain parking downtown	18	0	23
4.) Fire lane violations	115	36	39
5.) Number not downtown			1217
or on College Hill	745	676	
6.) 3AM - 6AM	497	518	305
7.) Wheel locks	4	1	3
8.) Mitigation hearings	250	157	136
9.) Contested hearings	152	84	73
TOTAL HEARINGS	402	325	211
10.) 168 hour incidents	248	171	145
11.) 168 hour impounds	28	28	24
12.) Private property junk vehicles	0	2	3
13.) Public property junk vehicles	0	0	0
 TOTAL REVENUE	 \$154,700	 \$95,035	 \$129,700
 14.) Residential Permits Sold	 162	 145	 151
15.) Downtown Permits Sold	40	36	93
16.) Downtown Residential Permits Sold	1		
 PERMIT REVENUE	 \$4,090	 \$3,755	 \$6,535
 TOTAL PARKING REVENUE	 \$158,790	 \$98,775	 \$136,235

2008 Police Department Annual Report

➤ **Drug/Narcotics Enforcement**

In 2008 in Pullman there were 30 arrests for drug and narcotics violations through the Quad Cities Drug Task Force. The Task Force opened 108 cases and closed 93 cases. There were 37 cases that resulted in one person arrested and 25 cases resulting in more than one person being arrested.

In 2008 the types of cases investigated included the following:

- Marijuana possession – 40
- Marijuana grow operations – 5
- Cocaine possession – 7
- MDMA possession – 0

Drug amounts were as listed below.

- Marijuana – 1306 grams
- Cocaine – 60 grams
- MDMA – 0 units
- Methamphetamine – 1647
- Marijuana plants – 1024
- Other – 1205

Seizures and forfeitures included 12 vehicles (value \$10,900), assets in the amount of \$3,125 and \$46,795.13 in cash.

➤ **Part I (Major Crimes)**

The following major crimes occurred in Pullman comparing 2007 with 2008:

<u>Crime</u>	<u>2007</u>	<u>2008</u>
Aggravated Assault	16	22
Arson	5	2
Burglary	131	120
Forcible Rape	10	10

2008 Police Department Annual Report

Homicide	0	0
Larceny/Theft	339	377
Motor Vehicle Theft	10	11
Robbery	5	5

Other activity may be found on the City of Pullman web site at www.pullman-wa.gov. Click on police under departments then records.

LONG RANGE STRATEGIC PLAN

Each year the department updates its five year plan and reviews the previous year's results. The results of the 2008 – 2012 plan may be found on the City of Pullman web site at www.pullman-wa.gov. Click on police under departments.



CITY OF PULLMAN

Administration/Finance

325 S.E. Paradise Street, Pullman, WA 99163

(509) 338-3208 Fax (509) 334-2751

admin@pullman-wa.gov

MEMORANDUM

TO: Mayor and City Council

FROM: John Sherman, City Supervisor

RE: Stormwater Report

DATE: February 20, 2009

The city of Pullman has been consistently pushing for relief from the onerous requirements of the Phase II stormwater permit. Attached is a summary that details our efforts on the stormwater issue. We continue to push for the exemption of Pullman as a "bubble" city from being placed under the requirements of the Phase II stormwater permit. On Friday, February 20, we were told by Representative Joe Schmick that the bill that Representative Don Cox and Representative Joe Schmick had co-sponsored to exempt Pullman from the Phase II stormwater requirements was officially dead. Representative John McCoy (D) 38th District from Snohomish County (Everett, Marysville) who is chair of the Agriculture & Natural Resources Committee refused to give the bill a hearing, so it died.

Although we are disappointed that the bill is dead, we are pleased that the submission of the bill from Representatives Cox and Schmick was probably very helpful in helping us to secure a meeting with Department of Ecology officials. Senator Mark Schoesler was an invaluable resource, not only in helping to arrange the meeting, but also in getting a representative of the Governor's office to attend the meeting. We also want to sincerely thank Representative Joe Schmick, City Councilmember Francis Benjamin, Pullman Chamber of Commerce Executive Director Tammy Lewis, and Pullman Chamber of Commerce President Tom Handy for meeting with Ecology officials on February 11 and suggesting the follow-up meeting with city officials during our city legislative action conference.

The meeting with Department of Ecology officials took place in Olympia on Wednesday, February 18. Senator Mark Schoesler and Representative Joe Schmick

attended the meeting. Representatives from the Department of Ecology who attended were:

Harriet Beale, Municipal Stormwater Technology Specialist
Melodie Selby, P.E. Water Quality Program
Ted Sturdevant, Director, Department of Ecology Governmental Relations
Kelly Susewind, Program Manager, Water Quality Program

The Governor's office was represented by Keith Phillips, the Executive Policy Director to the Governor on Environmental Issues. In attendance from the city of Pullman were City Councilmembers Francis Benjamin, Keith Bloom, Bill Paul, Barney Waldrop, Pat Wright, and City Supervisor John Sherman.

City Councilmember Keith Bloom started the meeting by giving an excellent, comprehensive overview of the city of Pullman's position relative to the stormwater issue. A good exchange then took place among the participants in the meeting. At the conclusion of the meeting, Keith Phillips of the Governor's office stated that, although they could not exempt Pullman from the Phase II requirements, they would work with us on compliance issues to reduce our costs. One possibility is extending certain deadlines within the permit in view of the economic situation. The Department of Ecology will send a representative to Pullman to meet with city of Pullman and WSU officials.

We are very hopeful that some acceptable compromise can be worked out that will provide relief in these extremely challenging economic times. We emphasized the tremendous financial impact on private businesses, WSU, Pullman School District, the city of Pullman and others that is resultant from the inclusion of Pullman under the Phase II stormwater permit requirements.



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CITY OF PULLMAN STORMWATER HISTORY

The city of Pullman recognizes the importance of addressing stormwater issues in a fair and reasonable manner. The city currently has design standards that require erosion and sediment control plans be submitted and approved with new development and require stormwater detention and biofiltration when certain thresholds have been met. The city already addresses high-risk land uses such as car washes, auto repair/maintenance shops, etc. with special requirements. The city also requires enhanced detention in one particularly sensitive sub-basin within the city (Hatley Canyon). With new construction, the city dye tests the sewer connections to verify the sanitary sewer lines are not inadvertently connected to the storm drain system. Thus, far from ignoring stormwater concerns, we have many procedures already in place.

However, when the Phase II Stormwater Permit was proposed to include Pullman, we actively opposed our inclusion under the terms of the Phase II Permit. During the comment period that ended on May 19, 2006, the city of Pullman, Washington State University and Schweitzer Engineering Labs, Inc. officially requested that Pullman not be included in the Phase II Program. The following statement was made within our city of Pullman letter in support of our request for not being included under the Phase II Stormwater Permit:

Pullman and the surrounding area are characterized by rolling hills, steep slopes and highly erodable soils. The relative impermeability of the soil virtually eliminates the use of infiltration for stormwater treatment, which results in close to 100% runoff. Agriculture is the primary land use in the surrounding area, and results in highly turbid runoff far outweighing contributions from the city stormwater system. Benchmarks such as the 25 NTU threshold in the Construction Stormwater General Permit are essentially impossible to meet at times, and quite frankly wouldn't matter much because the contribution from agricultural land is so much higher, both in quantity and turbidity levels.

The stormwater issue has been addressed in depth at numerous previous City Council meetings. On September 26, 2006, a public meeting was held on the stormwater issue. David Duncan, from the Water Quality Program of the Washington State Department of Ecology, stated that "...Pullman has perhaps the most difficult situation in the whole state with regards to soils." Representatives from WSU and SEL spoke at the City Council meeting and raised concerns about the proposed Phase II Regulations. At the conclusion of the stormwater discussion, the City Council voted to table motions

authorizing a stormwater consultant agreement and the acceptance of a Department of Ecology stormwater grant.

At the town hall meeting on December 6, 2006, the stormwater issue was discussed in depth with our 9th District state legislators. Representatives from the Washington State Department of Ecology were also present to address the stormwater issue. Later in December, our 9th District state legislators were able to meet with Director of the Department of Ecology Jay Manning and convinced him to delay the proposed December implementation of the Phase II Permit until January. However in January 2007, the Department of Ecology issued the new Phase II Permits that included Pullman.

On January 23, 2007, the City Council discussed the decision of the Department of Ecology to include Pullman in the implementation of the Phase II Stormwater Permit. The City Council discussed the option of joining an appeal of the Department of Ecology decision.

On February 6, 2007, the City Council voted to join the appeal of the Phase II Regulations. Because the Department of Ecology opted to include Pullman under the requirements of the Phase II Regulations, the City Council also voted to approve the stormwater consultant agreement and accept the Department of Ecology stormwater grant.

On February 16, 2007, the NPDES Phase II Permit became effective. The minimum measures required under this Phase II Stormwater Permit are:

- Public education and outreach
- Public involvement and participation
- Illicit discharge detection and elimination
- Controlling runoff from development
- Pollution prevention for municipal operations.

At the City Council meeting on March 6, 2007, the City Council passed a resolution authorizing the city of Pullman to join a coalition of 33 cities and counties for the purpose of appealing provisions of the Municipal Stormwater Permit. In his staff report to the City Council, Public Works Director Mark Workman wrote:

The Department of Ecology (DOE) has issued the Phase II National Pollutant Discharge Elimination System (NPDES) Permit under the provisions of the Federal Clean Water Act. The permit applies to several cities in Washington, including the city of Pullman. It is the opinion of many of the affected cities that DOE has exceeded the requirements of the Clean Water Act to the extent that significant and unwarranted financial burdens will be placed on these municipalities and the citizens residing therein, and subject the municipalities to costly legal challenges. Several Washington cities, including Pullman, committed to combine resources to appeal the permit to the Pollution Control Hearings Board and to Superior Court in Snohomish County.

On May 15, 2007, the appellants filed the proposed list of legal issues before the Pollution Control Hearings Board.

At the annual Association of Washington Cities (AWC) conference on June 14, 2007, a workshop was held on stormwater issues. The major point of the workshop discussion was that, regardless of the legal challenges to the Phase II Stormwater Permit, it is still in effect and we have a requirement to comply. The June 2007 AWC Stormwater fact sheet that was distributed at the conference stated:

The permit's requirements must be addressed in increments over the next five years and will be costly to implement for both public and private interests. Cities that have extensive stormwater programs and stormwater utilities in place may be meeting some of the requirements of the permit. Cities that have not developed stormwater programs or developed a stormwater utility will face a much greater challenge.

On June 26, 2007, the City Council requested that the options of retaining a consultant to aid in compliance and to retain a full-time stormwater program employee be brought back for consideration at a later date.

At the City Council meeting on August 17, 2007, the City Council authorized the creation of the city of Pullman stormwater manager position. The following are excerpts from the minutes of the City Council meeting:

Councilmember Bloom stated he concurred with the staffing needs for stormwater compliance, stated that the stormwater issue was an unfunded mandate and the citizens would have to find a way to pay for it, and that compliance would involve high volumes of work.

Councilmember Heath stated she agreed with Councilmember Bloom's comments that this was a complex issue and that the City should stay within the minimum standards and not go beyond that.

At the City Council meeting on October 23, 2007, a discussion took place concerning the stormwater issue. John Knutson of Otak, Inc., the city's stormwater consultant, gave a detailed presentation on stormwater regulations, the city's options, and new annual stormwater funding needs. He recommended the establishment of a stormwater utility. Public Works Director Mark Workman stated that the city was behind in the stormwater compliance process and that we needed to establish and collect fees by mid-year 2008.

On December 11, 2007, the issue of stormwater was again raised with our 9th District state legislators. The first issue of interest to the city of Pullman in the town hall meeting was that the state should provide for reasonable and achievable stormwater standards. We requested that the legislature act to ensure that reasonable and achievable

stormwater standards are applied that do not exceed federal requirements and that take into consideration the unique provisions of various geographic areas within the state.

At the City Council meeting on January 22, 2008, the stormwater issue was again addressed in depth. Four resolutions were passed by the City Council addressing various stormwater issues. The first resolution adopted a public participation policy for the development and implementation of an enhanced city stormwater management program. The second resolution provided more funding of the cost of litigating the stormwater appeal. The third resolution provided an addendum to the Otak, Inc. agreement for the purpose of performing the stormwater planning and funding project. The final resolution accepted a local stormwater grant from the Washington State Department of Ecology. Rob Buchert was formally introduced at the meeting as the city of Pullman's Stormwater Services Program Manager.

On April 17, 2008, city of Pullman representatives attended an AWC forum on stormwater that was held in the Spokane City Council Chambers.

On April 28, 2008, the city of Pullman, the Pullman Chamber of Commerce and the Pullman League of Women Voters co-sponsored a public forum on the stormwater issue. This was a very informative and well attended forum. Panelists included representatives from the city of Pullman, Otak, Inc., WSU, and the Washington State Department of Ecology.

Numerous meetings have been held to explain to various heavily impacted local businesses and organizations the impacts that the proposed stormwater utility would have upon them.

On May 22, 2008, representatives of the city met with representatives of the Washington State Department of Community, Trade and Economic Development (CTED). We emphasized that it is hard to promote economic development and affordable housing because of onerous expensive regulations under the Phase II Stormwater Requirements.

On May 2, 2008, Tammy Lewis, who was with the Palouse Economic Development Council (PEDC) and is now Executive Director of the Pullman Chamber of Commerce, sent a letter to Governor Gregoire. In the letter she stated that new stormwater fees will hit businesses particularly hard and that SEL has stated that it will reconsider any expansion plans in the area due to the fees.

At the City Council meeting on June 3, 2008, another discussion was held on the stormwater issue, the first draft of the stormwater utility ordinance was presented, and the public comment period was opened. Representatives of the city of Pullman, Otak, Inc., and the Washington State Department of Ecology participated in the discussion. It was noted that the State of Oregon did not include any of its bubble cities within the Phase II Stormwater Program. Since Washington included all of its bubble cities, this demonstrates that Washington is exceeding federal requirements.

On June 10, 2008, representatives of the city and the Chamber of Commerce met with gubernatorial candidate Dino Rossi to discuss local issues of concern. Concerns about the cost and difficulty of compliance with the Phase II Stormwater Regulations were a major topic of discussion.

On June 17, 2008, representatives of the city and the Chamber of Commerce met with Michele Vazquez, Regulatory Assistance Lead for the Eastern Region of the Governor's Office of Regulatory Assistance, and David Knight, Unit Supervisor of the Water Quality Program of the Department of Ecology Eastern Regional Office. We emphasized that stormwater regulations need to be reasonable and achievable. As it pertains to Pullman, the Phase II Requirements are neither.

On June 19, 2008, city and Chamber of Commerce representatives met with our 9th District Legislators and again emphasized our concerns about the impact of the Phase II Stormwater Regulations on Pullman.

On June 26, 2008, Mayor Glenn A. Johnson sent a strongly worded letter to Governor Chris Gregoire expressing concerns about the fiscal impact of the stormwater regulations on the business climate, SEL, WSU and others.

On July 25, 2008, the Department of Ecology responded to Mayor Johnson's letter on behalf of Governor Christine Gregoire. The letter acknowledged that "The Department of Ecology (Ecology) is aware of the challenges that some cities, such as the City of Pullman (City), are facing in the implementation of the Phase II Municipal Stormwater General Permits." After detailing the reasons for the inclusion of Pullman under the Phase II requirements, the letter stated the following with respect to business climate concerns:

A major factor in bringing new business to Washington State is our healthy environment. The Municipal Stormwater Permits are part of the effort to keep the environment healthy, and to create a climate that is sustainable and good for business.

On August 12, 2008, a conference call took place with Keith Phillips, the Executive Policy Director to the Governor on Environmental Issues. The call was set up in response to the Mayor's letter. The phone conversation allowed Mayor Glenn Johnson, City Supervisor John Sherman, and Stormwater Services Program Manager Rob Buchert the opportunity to discuss stormwater issues in depth with a representative from the Governor's Office.

On August 25, 2008, Mayor Glenn Johnson sent a second letter to Governor Gregoire.

At the City Council meeting on August 26, 2008, the City Council passed Resolution No. R-79-08 authorizing the execution of the second amendment between the

city of Pullman and a coalition of Washington cities who are challenging the stormwater regulations. The coalition is appealing the Phase II National Pollutant Discharge Elimination Permit.

At the City Council meeting on October 21, 2008, the City Council discussed stormwater issues. The revised draft stormwater utility ordinance was presented. The City Council again expressed its strong concerns about the stormwater regulations before suggesting final revisions in the draft ordinance. For example, City Councilmember Keith Bloom reflected the sentiments of many City Councilmembers when he stated at the meeting:

If I believed for a moment that his would clean up one drop of stormwater, given our geology and our geography, I'd be all over this, all right? I do not believe that by writing a bunch of words on paper and creating a bureaucracy, that we are really going to clean up the stormwater in Pullman significantly enough that what flows in from out of town and winds up flowing out the South Fork still doesn't look like chocolate milk come springtime rolling down Palouse Falls.

At the conclusion of the City Council discussion, the majority of the City Council concurred with the staff recommendation that the stormwater utility rate structure should be based upon impervious area.

On November 12, 2008, a second stormwater public forum was held in the City Council Chambers. City staff and representatives from Otak, Inc. gave a panel presentation before the forum was opened up for public input.

On December 2, 2008, city staff met with WSU staff for the ninth time to discuss WSU concerns about the proposed stormwater utility rate structure.

A notice of the proposed adoption of the stormwater utility ordinance at the December 9 was published in the December issue of the *Pullman Community UPDATE*.

At the City Council meeting on December 9, 2008, the City Council split on the vote to implement the stormwater utility. It was agreed that the issue would be back with a revised ordinance for the City Council meeting on January 6, 2009.

A notice of the proposed adoption of the stormwater utility ordinance at the January 6, 2009, City Council meeting was published in the January issue of the *Pullman Community UPDATE*.

At the City Council meeting on January 6, 2009, the City Council voted to defer consideration of the stormwater ordinance until Tuesday, February 3. At the City Council meeting on January 6, the City Council also discussed stormwater concerns during the town hall meeting with our 9th District state legislators. The City Council also passed Resolution No. R-2-09 relating to stormwater and petitioning the Governor for

relief. A copy of the cover letter to the governor, the stormwater resolution, and an editorial on stormwater are attached. The resolution was also sent to our 9th District state legislators.

At the City Council meeting on February 3, 2009, the City Council reluctantly on a 4-3 voted to create a Stormwater Utility in order to keep up with the ever escalating costs of stormwater Phase II permit compliance. For a single-family house the rate is \$3 per month effective March 1, 2009; \$5 per month effective March 1, 2010; \$7 per month effective March 1, 2011. Attached is a breakdown of city of stormwater utility charges to major customers. WSU would pay \$119,360 in year one; \$198,360 in year two, and \$277,704 in year three. This is in addition to what WSU must spend to comply with its own permit requirements. For WSU, it estimates it must spend \$137,319 in 2007; \$119,940 in 2008; \$244,617 in 2009; \$608,577 in 2010; and \$828,715 in 2011. The stormwater utility charge from the Pullman School District is \$14,508 in year one; \$24,180 in year two, and \$33,852 in year three. At a time when the state needs to make deep budget cuts in higher education and K-12, these new charges on going to take a major toll.

On February 11, 2009, Department of Ecology representatives met with Representative Joe Schmick in response to the bill that he co-sponsored with Representative Don Cox to exempt Pullman and WSU from the requirements of the Phase II stormwater permit. Representative Schmick invited City Councilmember Francis Benjamin, Chamber of Commerce Executive Director Tammy Lewis, and Chamber of Commerce President Tom Handy to join him for the meeting with the Ecology officials. Many issues relating to the inclusion of Pullman within the Phase II permit were discussed. At the conclusion of the meeting, Councilmember Benjamin suggested that a follow-up meeting be held during the City Legislative Action Conference when others from the city of Pullman would be present to address some of the questions Ecology officials had raised.

On February 18, 2009, a meeting was held in Olympia to discuss the inclusion of the city of Pullman and WSU under the Phase II stormwater requirements. Representatives from the State of Washington who were in attendance at the meeting were Senator Mark Schoesler; Representative Joe Schmick; Keith Phillips, the Executive Policy Director to the Governor on Environmental Issues; and four representatives from the Department of Ecology: Harriet Beale, Municipal Stormwater Technology Specialist; Melodie Selby, P.E. Water Quality Program; Ted Sturdevant, Director Governmental Relations; and Kelly Susewind, Program Manager, Water Quality Program. This very productive meeting allowed representatives of the city of Pullman to articulate a variety of issues relative to the inclusion of Pullman and WSU under the requirements of the Phase II stormwater permit. At the conclusion of the meeting, it was agreed that a representative from the Department of Ecology would come to Pullman to meet with city of Pullman and WSU officials in an attempt to reduce the financial impact of the permit requirements. This could include a delay in certain timelines under the permit due to the severe economic conditions.

MINUTES OF THE CITY COUNCIL
OF THE CITY OF PULLMAN
FEBRUARY 3, 2009

Roll Call

A regular meeting of the City Council of the City of Pullman was held on February 3, 2009, at 7:30 p.m. in Council Chambers, City Hall, Pullman, Washington with the following present:

Glenn A. Johnson	Mayor
Troy Woo	Finance Director
Francis Benjamin	Councilmember
Keith Bloom	Councilmember
Ann Heath	Councilmember
Bill Paul	Councilmember
Barney Waldrop	Councilmember
Nathan Weller	Councilmember
Pat Wright	Councilmember

Call to Order

Mayor Johnson called the regular meeting to order at 7:30 p.m.

Announcements

Mayor Johnson made two announcements.

Report

Planning Commission
College Hill
Workshops

Mayor Johnson announced that a report is scheduled on the Planning Commission's College Hill workshops. Planning Director Dickinson presented a staff report which announced the scheduled stakeholder workshops. Councilmember Bloom asked if the workshops were open to the public. Planning Director Dickinson responded.

ORDER OF BUSINESS

Approval of Recommendations of Consent Agenda Items

CONSENT AGENDA

Mayor Johnson reviewed the items on the Consent Agenda with the Council and audience. He stated that items listed on the Consent Agenda are considered to be routine in nature and will be enacted by a single motion of the Council without separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by Council request. Councilmember Bloom moved, Councilmember Paul seconded to read the items on the Consent Agenda by title only.

Motion Carried.

City Attorney McAloon read the items on the Consent Agenda by title only. Mayor Johnson asked if there were any requests for removal of items from the Consent Agenda from either the Council or audience. Councilmember Heath requested that item No. 1 be removed for separate discussion. Mayor Johnson so ordered. Councilmember Wright moved, Councilmember Benjamin seconded to adopt the Consent Agenda as presented.

Motion Carried.

Motions

- | | |
|--|---|
| Accounts Payable, Payroll, and Electronic Transfers - February, 2009 | 2. The Council approved disbursements represented by accounts payable checks numbered _____ through _____ totaling \$_____ inclusive, payroll checks numbered _____ through _____ totaling \$_____ inclusive, and electronic transfers totaling _____ and directed that they be paid upon approval of the Auditing Officer and Audit Committee. |
| Claim for Damages - Akin | 3. The Council referred a Claim for Damages submitted by Dawna Akin for an undetermined amount to the Washington Cities Insurance Authority (WCIA). |
| Claim for Damages - Canter | 4. The Council referred a Claim for Damages submitted by Laura Canter for the sum of \$2,613.64 to the Washington Cities Insurance Authority (WCIA). |
| Claim for Damages - Jones | 5. The Council referred a Claim for Damages submitted by Alvin Jones for an undetermined amount to the Washington Cities Insurance Authority (WCIA). |
| Claim for Damages - Ranch | 6. The Council referred a Claim for Damages submitted by Richard A. Ranch for the sum of \$1,914.66 to the Washington Cities Insurance Authority (WCIA). |

Resolution

- | | |
|---------------------------------------|---|
| Resolution No. R-4-09 - Airport Grant | 7. Resolution No. R-4-09

A RESOLUTION PREAUTHORIZING THE ACCEPTANCE OF U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM GRANT MONIES FOR MULTIPLE PULLMAN-MOSCOW REGIONAL AIRPORT PROJECTS. |
|---------------------------------------|---|

Resolution No. R-4-09 was adopted unanimously.

REGULAR AGENDA

Motion

Minutes - January 20, 2009

1. Mayor Johnson announced that this item had been removed from the Consent Agenda at the request of Councilmember Heath. Councilmember Heath requested that the fifth paragraph under the University District discussion be corrected.

Councilmember Heath moved, Councilmember Weller seconded to adopt the minutes as amended. The motion carried unanimously.

Ordinances and Resolutions

Ordinances and Resolutions Relating to Stormwater

8. Mayor Johnson announced that two ordinances and two resolutions had been prepared relating to stormwater. City Supervisor Sherman presented a staff report which included a description of the proposed legislation that would exempt the City of Pullman from the stormwater permit and provided a history of the City of Pullman's opposition of Pullman's inclusion in the stormwater permit. Public Works Director Workman presented a staff report that included a description of the history of public rate discussions, legal issues, financial issues, and the effort that would be required to develop a rate structure based on pervious area.

Councilmember Wright thanked Public Works Director Workman and his staff for the time and the extensive work that has gone into the development of the ordinance and the rate resolution.

Councilmember Weller thanked Public Works Director Workman and his staff for their immense work and suggested that a letter of gratitude be sent to Representative Don Cox for sponsoring the legislation that would exempt the City of Pullman from stormwater regulations. Councilmember Weller stated he thought that the information related to pervious area would be useful and that during these difficult economic times it was

imperative that everyone share the stormwater burden.

Councilmember Benjamin thanked staff for their efforts on the stormwater resolutions and ordinances and asked if the change to land from its natural state to its current state added any additional stormwater costs. Public Works Director Workman responded.

Councilmember Paul stated he thought that native land would soak in more stormwater runoff than developed property such as asphalt.

Councilmember Benjamin stated that developed land is different than the discussion about impervious versus pervious areas.

Councilmember Waldrop asked how the eleven jurisdictions who do charge for pervious acreage allocate the costs. Public Works Director Workman and Stormwater Services Program Manager Buchert responded.

Councilmember Bloom thanked Public Works Director Workman and Stormwater Services Program Manager Buchert for their efforts and stated that he has been against the stormwater utility because it represents heavy-handed regulation by the state. Councilmember Bloom suggested tabling the pervious area considerations but to consider it in the future because if all Pullman residents would benefit from the stormwater efforts then all should share the burden. Councilmember Bloom stated he is against new fees and additional financial burdens but feels obligated to do something to prevent litigation and that he had sworn to uphold the laws of the State of Washington. Councilmember Bloom suggested that in the future, snow removal be included in the stormwater discussion and suggested that rainwater harvesting credits be offered for residential customers.

Councilmember Bloom moved to adopt Ordinance 09-2 with the suggested change to rainwater harvesting credits. Councilmember Heath seconded the motion and stated that she is against the stormwater regulations for reasons that she had stated at a previous meeting and that she thought it was premature to include pervious area considerations because there has not been constituent input on the issue. Councilmember Paul stated he agreed with Councilmembers Bloom and Heath and that he was strictly against unfunded mandates.

Councilmember Waldrop stated that he disagreed with the proposed fee structure because there is a need to share the burden equally and that the cost of this over-regulation will have a chilling effect on business if the cost is shifted to large impervious area owners.

Sid Houpt, 103 Parkwest Drive, presented the Council with a handout, urged the City Council to pass the ordinance that includes charges for all property owners because it fairly and equitably distributes the stormwater fees to all property owners who are responsible for stormwater runoff and noted that the minutes from the January 5 meeting did not accurately reflect his comments.

Mike Leonas, WSU, stated that WSU has its own stormwater permit and it is nearly identical with the requirements in the City's permit, that significant areas of WSU-owned property do not drain to the City system, that RCW 35.92 allows for various factors to determine the rates and urged the Council to consider those factors, and that the estimated \$500,000 that WSU will spend on stormwater compliance justifies more than a 20-percent credit.

Tammy Lewis, Executive Director of the Chamber of Commerce, encouraged the City Council to continue its fight with the state to bring relief from the stormwater regulations.

Dwight Hagihara, WSU, stated that one of the major reasons the City staff suggested limiting the credit to 20 percent was because the City would be responsible for WSU discharges. Mr. Hagihara stated that is not accurate because Pullman is not responsible for WSU discharges.

Dave Gibney, Reaney Way, stated there may be some confusion when comparing impervious, pervious, developed, and undeveloped properties. Mr. Gibney suggested that the fee structure be applied to the total acreage within the City limits.

Councilmember Bloom asked if the rate structure that has survived court tests has been based on impervious area. City Attorney McAloon responded.

Ordinance No. 09-2 by title only reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PULLMAN, WHITMAN COUNTY, WASHINGTON, RELATING TO STORMWATER SERVICES, RATES, FEES AND CHARGES, ADDING A NEW CHAPTER, 10.30 STORM DRAINAGE AND SURFACE WATER MANAGEMENT UTILITY TO TITLE 10, PUBLIC SERVICES AND UTILITIES OF THE PULLMAN CITY CODE, AND AMENDING PCC 1.18.040 AND ORDINANCE NOS. 99-22 §1, 1999; 85-19 §1, 1985; AND 81-10 §3(2), 1981 AND OTHER MATTERS PROPERLY RELATED THERETO.

The motion carried four votes aye, with Councilmembers Weller, Benjamin, and Waldrop voting nay.

Councilmember Paul moved, Councilmember Heath seconded to adopt Resolution No. R-05-09. Councilmember Bloom stated that there should be a continuing review of the pervious area and that he liked Mr. Gibney's suggestion to spread the total costs evenly over the entire acreage area of the City of Pullman. Public Works Director Workman responded. Councilmember Heath stated she was in opposition to charging the same amount to each utility account because it is unfair when a 20-apartment complex would pay the same amount as a single-family residence and that businesses can pass on the cost of stormwater. Councilmember Heath stated that the cost would even be allocated to people from outside of Pullman when they come to shop at Pullman businesses.

Councilmember Weller stated he was in favor of Councilmember Waldrop's suggestion to share the cost equally and that the City should continue to study the fee structure as the stormwater utility evolves.

Mayor Johnson asked if the door could be kept open for different fee structures for future considerations. Public Works Director Workman responded.

Councilmember Waldrop noted that one of the challenges of charging based on total acreage is that undeveloped properties do not have utility accounts, but the County Assessor's records could be used. Public Works Director Workman responded.

Councilmember Benjamin stated he felt that adequate public notice has been given in regard to changing the fee structure to total area

because public discussions have taken place. Councilmember Benjamin stated he was in favor of total area being the basis to the stormwater fee.

Councilmember Heath stated that she does not object to exploring other bases for the fee but the current structure should be moved forward. Councilmember Wright stated that a fee must be in place and the City must move forward and that a different rate basis can be reviewed in the future. Councilmember Weller suggested that a thank you letter be sent to Representative Don Cox for his support in exempting Pullman from the stormwater regulations.

Resolution No. R-5-09 by title only reads as follows:

A RESOLUTION ADOPTING A FEE SCHEDULE FOR THE STORMWATER UTILITY BASE RATE AND APPEAL FEE PURSUANT TO THE PROVISIONS OF THE PULLMAN CITY CODE 10.30.

The motion carried four votes aye, Councilmembers Weller, Benjamin, and Waldrop voting nay.

Discussions

- | | |
|---------------------------------|--|
| Joint Meeting
with ASWSU | 9. City Supervisor Sherman presented the staff report and listed the University District, Transit, Planning on College Hill, and a Police status report on the enforcement of the fighting and open container ordinances as suggested topics from City staff. City Supervisor Sherman asked for additional topics from the City Council and said that suggestions could be e-mailed or called in by Thursday at 5:00 p.m. Mayor Johnson noted that the City of Moscow and the University of Idaho will begin joint meetings and asked how long the City of Pullman and ASWSU have been meeting. City Supervisor Sherman responded. Councilmember Paul noted that at one time the City of Pullman and ASWSU was the only joint meeting of its kind in the United States. Mayor Johnson responded. |
| Annual Goal-
Setting Process | 10. City Supervisor Sherman noted that the goal-setting notebooks had been handed out before the meeting and described where they were available for public review. City Supervisor Sherman asked the City Council which date they would like to conduct their retreat and if the Hilltop Restaurant was okay for the location. City |

Council concurred to conduct the retreat on March 7.

NEW BUSINESS

Councilmember Paul stated he serves on the Solid Waste Committee and wanted to provide a status report in reaction to a letter received from Morgan Freeman. Councilmember Paul stated that Pullman Disposal Service cannot accept mixed paper or magazines because of the lack of the recycling market and that grocery stores were no longer offering credits for those customers who bring their own bags for groceries. Councilmember Paul stated that Pullman Disposal is still accepting cardboard boxes, aluminum, tin, glass, and plastic. Councilmember Paul stated that there was an interesting article in the December issue of Popular Science that questions the cost of recycling.

Mayor Johnson described his discussions with Morgan Freeman, stated that Ms. Freeman will check with other disposal system's recycling programs and that he will meet with Devon Felsted of Pullman Disposal Service.

Councilmember Bloom asked if paperboard was being accepted. Mayor Johnson responded. Councilmember Benjamin asked if there was a recycling fee charged by Pullman Disposal Service. City Supervisor Sherman responded. Councilmember Benjamin asked if the fee was specific to what types of services would be guaranteed. City Supervisor Sherman and Mayor Johnson responded.

Jo Mark, 1165 S. Grand, requested that the City consider developing intern opportunities for students during its goal-setting process. Mayor Johnson responded.

ADJOURNMENT

Councilmember Benjamin moved, Councilmember Wright seconded to adjourn the regular meeting of the City Council.

Motion Carried.

Mayor Johnson adjourned the regular meeting of the City Council at 8:46 p.m.

Mayor

ATTEST:

Finance Director

MINUTES OF THE CITY COUNCIL
OF THE CITY OF PULLMAN
FEBRUARY 11, 2008

Roll Call

A special meeting of the City Council of the City of Pullman was held on February 11, 2008, at 5:30 p.m. in the Junior Ballroom, WSU Campus, Pullman, Washington with the following present:

Glenn A. Johnson	Mayor
Troy Woo	Finance Director
Keith Bloom	Councilmember
Ann Heath	Councilmember
Bill Paul	Councilmember
Barney Waldrop	Councilmember
Nathan Weller	Councilmember
Pat Wright	Councilmember

Call to Order

Senate Chair Fry-Pierce called the regular meeting to order at 5:30 p.m. All Councilmembers were present with the exception of Councilmember Benjamin. Councilmember Bloom moved, Councilmember Paul seconded to excuse Councilmember Benjamin.

Motion Carried.

Public Testimony

ASWSU Vice-President Fry-Pierce introduced ASWSU President Brandon Scheller. President Scheller made welcoming comments and provided updates on the survey launch project, lighting projects, and the safe walk. Mayor Johnson congratulated President Scheller, Vice-President Fry-Pierce, and ASWSU for the positive opinion received in the "Our Voice" section of the *Daily Evergreen*. Senate Chair Fry-Pierce complimented the various committees for all of their positive work.

Discussion Items

University 1&3.
District and
Planning Department
Update on College
Hill Issues

Senator Jessica Hart presented a staff report that included comments relating to use of WSU funds for the University District and President Floyd's new concept that will help protect students. Senator Hart urged the City Council to adopt a similar resolution to help further promote the safety of the WSU campus area. Senator Bakke stated that the recent revision to the concept by President Floyd has the support of his constituents and he feels that the University

District is beneficial to both the City and the community.

Senator Myklebust asked the City Council to keep in mind that ASWSU Senators represent all students and that individual students who voice their opinion don't represent all the views of the students.

Mayor Johnson asked if the Senate discussed any names for the University District. Senator Myklebust responded that they had not and the name is not as important as the concept.

City Supervisor Sherman presented a staff report that included a synopsis of President Floyd's presentation to the City Council and that the City Council would be conducting a public meeting on the University District at the February 24 meeting.

Planning Director Dickinson presented a staff report that included a description of the recent planning workshop and a description of the College Hill Tomorrow program. Planning Director Dickinson also presented the planning department update which included a summary of what was discussed at the recent planning workshop and expressed concern that students were not represented at the workshop.

Senator Chemodurow stated that support for the University District stems on the fact that the Board of Advisors would include students, business owners, and landlords.

Senator Yagiz asked if there were any thoughts to combining the College Hill Tomorrow program with the University District because they have many similarities. Planning Director Dickinson responded.

City Supervisor Sherman stated that President Floyd wants the University District Board of Advisors to have a wide range of stakeholders.

Councilmember Weller referenced a *Daily Evergreen* article that stated that the University District would give the students a larger voice in the community. Councilmember Weller pointed out that students should be involved in the City's existing committees and that projects like the University District take a great deal of time and this issue should be taken slowly. Councilmember

Weller questioned where the funding would come from for the University District. Councilmember Weller stated that back in October of 2008 that an unofficial poll that he took showed that the majority of students were against the University District and wondered what had changed these students' opinions on the University District.

Senator Hart responded by stating that students are here for the short term so many projects must be fast-tracked and that she believed that improvements needed to be made for student safety and that someone must be held accountable. Senator Hart stated that she felt WSU and the City should fund the University District. Senator Hart stated she thought the change in student opinion was due to better understanding of the concept by the students.

Councilmember Weller noted that both ASWSU Senators and the City Council already have constituents that are providing input and that he had problems with a University District Committee presenting already approved suggestions to the City Council and that the City Council represents all stakeholders.

Senator Hart asked if the Committee would help to limit the amount of information coming in to make this a more efficient process.

Mayor Johnson noted that a great deal of input had already been received. Senator Myklebust stated that the concept has been out for a year and that the atmosphere was ready to take action. Senator Myklebust stated that the University District Committee could help focus on certain areas to help speed the process and that the Senators appreciate being a part of the concept development.

Senator Chemodurov stated that she thought Councilmember Weller's unofficial survey was taken too early in the process because many rumors were being spread at that time.

Councilmember Heath stated that she felt that the concepts are being taken out of order and that the stakeholder group should decide if it should be developed and then determine the boundaries. Councilmember Heath stated she was troubled that there were no students involved with the College Hill Tomorrow workshops and that much progress has been made to improve College Hill.

Councilmember Heath stated she was more interested in the interlocal agreement concept because it made more sense to her. ASWSU President Scheller apologized and explained why there was no student representation at the College Hill Tomorrow workshop and that the situation was not one of non-collaboration by the students.

Senator Penttala stated he felt as a student that the University is the center of his reality and that Citywide involvement does not interest students. Senator Penttala felt a connection with the University District because it more closely involved his area rather than the entire City.

Councilmember Paul stated he agreed with Penttala and shared statements by a Lansing, Michigan speaker for the Chamber of Commerce that said Pullman was lucky to have three main groups being WSU, high tech, and agricultural. Councilmember Paul described the community concept that was installed by former WSU President Rawlins and expressed concern that the University District would put the walls back up between the City and the University.

Senator Bakke stated that he had never been told of City committees that were available for student service and asked that the committee information be sent and made available so students can serve on those committees.

Senator Kilpatrick stated that change is needed and that a student committee would make it easier to receive input.

Senate Chair Fry-Pierce stated he felt that the University District was attractive because there would be student involvement and noted that President Floyd has to focus his time on other issues.

Councilmember Weller stated that he was impressed with the student involvement with the University District. Councilmember Bloom stated he was shocked that the ASWSU Senate unanimously adopted the resolution supporting the University District because he had been urged by his constituents to vote against it. Councilmember Bloom stated that the students now have his attention and he is impressed with the work conducted by ASWSU. Councilmember Bloom stated that the University

has worked hard to make this a community and that the City Council has the opportunity to approve whatever the committee presents to them.

Senator Pentilla stated that ASWSU Senators are in support of a group of advisors to help develop the University District concept and that change is in the hands of the students since they will have a voice on how they live on College Hill. Senator Pentilla stated that improvements are needed and that the committee would help make it more visible.

Senator Bakke stated that President Floyd's proposed footprint of the University District is, at least, a starting point and that it has to start somewhere. Senator Bakke suggested that the footprint be started small and that it be expanded in the future.

Councilmember Waldrop stated that the City has an obligation to address the unsafe home complaints and urged that those addresses be provided and that those residents invite the City into their homes so it can react to the complaint.

- Pullman Transit 2. Senator Aigner stated that the Pullman Transit system is much appreciated and it is very efficient. Transit Manager Thornton stated that ridership in 2008 was 1.3 million which is a new record and that he hopes that Pullman Transit is providing services that the students have asked for. Transit Manager Thornton described the challenges that Pullman Transit had with this winter's snow and gave a status report on the TxtWire service.

Mayor Johnson asked for an update on the purchase of new buses. Transit Manager Thornton responded.

Senate Chair Fry-Pierce described the resolution that proposes to increase student fees for Transit services because the system does need some improvements. Transit Manager Thornton responded. Mayor Johnson shared his observation of the habits of those who ride near the Terre View Drive and Merman Drive area.

Senate Chair Fry-Pierce described the financial challenges faced by the Pullman Transit system and the need to provide assistance to riders. Transit Manager Thornton responded. Mayor Johnson asked if the increased fee would allow

for seven-day service. Transit Manager Thornton responded.

Senator Hart noted that the students are being asked to pay more for extra service and asked if the City will be contributing anything extra. City Supervisor Sherman and Transit Manager Thornton responded. Senate Chair Fry-Pierce noted that the vote to increase student fees for Transit failed last year and now the situation is worse due to escalated costs. Transit Manager Thornton responded. Mayor Johnson noted that some parking fees also fund Transit services.

John Shaheen, Director of Parking, Transportation, and Visitor Center, stated that WSU is happy to have the partnership and that the students take advantage and support Transit services. Mr. Shaheen noted that the \$10 increase will not fund Sunday service or Thursday late-night service but would expand service in the Express Routes. Senator Bakke commented that Transit Manager Thornton and John Shaheen are helping to improve the service for students and it is amazing what Pullman Transit was able to accomplish with the increase in ridership. John Shaheen thanked Senator Bakke for his comments and stated that the WSU and Pullman Transit relationship was unique. Mayor Johnson noted that the Paratransit service is very effective as well and that WSU students and staff do use that service and asked for comments regarding the federal law that requires Paratransit service when fixed-route service is provided. Transit Manager Thornton responded. Transit Manager Thornton stated that Pullman Transit could not do what it does without the help of the students. Senate Chair Fry-Pierce noted that if the increased fees are not approved then some services may be cut.

Police Department Report on Fighting Ordinance and Open Container Ordinance Compliance

4. Police Chief Weatherly provided a staff report on the fighting ordinance that described the ordinance, provided infraction statistics, and described the variables used to measure the effectiveness of the ordinance. Mayor Johnson noted that the fighting ordinance is in place due to complaints received and that the police department needed a tool to help protect students. Police Chief Weatherly responded.

Police Chief Weatherly presented a staff report which described the open container ordinance and provided statistics on infractions. Mayor

Johnson asked if alums were among the biggest violators of the open container laws. Police Chief Weatherly responded.

Police Chief Weatherly provided a report on party trash enforcement and the number of infractions written. Police Chief Weatherly noted that students were participating on the Police Advisory Committee.

Questions and
Answers

5. Councilmember Paul stated he appreciated working with the students and that these joint meetings helped the Council hear student voices. City Supervisor Sherman noted that the first joint meeting with ASWSU took place on April 23, 1997, and commended both ASWSU senators and the City Council for their cooperation.

Mayor Johnson noted that he received updates from the National League of Cities and he observed that the City of Pullman is ahead of many college communities in terms of their problems. Mayor Johnson noted that few Councils meet with their student bodies and that there is room for student service and input. Mayor Johnson noted that there was good communications with students.

Senate Chair Fry-Pierce stated that students live in the same community, represent a different segment of the community, but working together does result in improvements.

Mayor Johnson asked for an update on the lighting issues. Public Works Director Workman described a lighting walk-through with Avista and provided a status update on the areas that were observed to have low lighting. Mayor Johnson asked where to report lighting issues to. Public Works Director Workman responded.

ADJOURNMENT

Councilmember Bloom moved, Councilmember Weller seconded to adjourn the special meeting of the City Council.

Motion Carried.

Mayor Johnson adjourned the regular meeting of
the City Council at 7:07 p.m.

Mayor

ATTEST:

Finance Director

3. A motion to refer a Claim for Damages submitted by Tom Webber for the sum of \$880.00 to the Washington Cities Insurance Authority (WCIA).

NOTES:

REQUEST FOR COUNCIL ACTION

For Meeting of: February 24, 2009

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ACTION REQUESTED

A motion to refer a Claim for Damages submitted by Tom Webber for the sum of \$880.00 to the Washington Cities Insurance Authority (WCIA).

=====

BACKGROUND

On February 3, 2009, Tom Webber submitted a Claim for Damages for the sum of \$880.00 for damages allegedly occurring due to City negligence. In accordance with the provisions of Section 1.98.030 of the Pullman City Code, the Council should direct that this claim be referred to WCIA.

=====

RECOMMENDATION

That the motion be passed.

=====

FISCAL IMPACT

\$_____ Budgeted Expenditures

BARS Code Number

=====

SUBMITTED BY

ATTACHMENTS FOR COUNCIL REVIEW/ACTION

Jane Joyce
Name

1. Claim for Damages - Webber

Deputy City Clerk
Title

Finance
Department

=====

REVIEWED BY

	Initial	Date
Department Head	<u>JW</u>	<u>2/3/09</u>
City Supervisor	<u>JR</u>	<u>2/20/09</u>
City Attorney (As To Form)	<u>May</u>	<u>2-3-09</u>

CLAIM FOR DAMAGES FORM

Date Claim Form Received by Member 2/3/09 9:47a JW
--

MEMBER CITY/ORGANIZATION: City of Pullman

Please take note that TOM WEBBER, who resides at 1081 SHOWALTER RD,
MOSCOW, ID 83843, mailing address SAME, home phone # 883-3877, work phone # 432-6710, is claiming damages against
CITY OF PULLMAN in the sum of \$ 800.00 arising out of the following circumstances listed below.

DATE OF OCCURRENCE: 02-02-09

TIME: 1:23 P.M.

LOCATION OF OCCURRENCE: PINE ST BY CITY HALL.

DESCRIPTION:

1. Describe occurrence explaining the nature of the defects or acts of negligence causing damages.
MY PARKED VEHICLE WAS SWIPED BY THE CITY'S
SENIOR BUS. MY VEHICLE WAS LEGALLY PARKED
ON PINE ST.

(attach an extra sheet for additional information, if needed)

2. Provide a list of witnesses, if applicable, to the occurrence including names, addresses, and phone numbers.
OFF. KIRK [REDACTED] - PULLMAN POLICE - 09-P00920

3. Attach copies of all documentation relating to expenses, injuries, losses, and/or estimates for repair.

4. Have you submitted a claim for damages to your insurance company? Yes ☒ No

If so, please provide the name of the insurance company: _____
and the policy #: _____

** ADDITIONAL INFORMATION REQUIRED FOR AUTOMOBILE CLAIMS ONLY **			
License Plate # <u>1L88050</u>	Driver License # <u>N/A</u>		
Type Auto: <u>2006</u> <u>FORD</u> <u>FOCUS</u>	(year)	(make)	(model)
DRIVER: <u>N/A</u>	OWNER: <u>TOM WEBBER</u>		
Address: _____	Address: <u>1081 SHOWALTER RD</u>		
Phone#: _____	Phone#: <u>MOSCOW ID 83843</u>		
Passengers: <u>N/A</u>	Name: _____		
Name: _____	Address: _____		
Address: _____	Address: _____		

* NOTE: THIS FORM MUST BE SIGNED AND NOTARIZED *

I, TOM WEBBER, being first duly sworn, depose and say that I am the claimant for the above described; that I have read the above claim, know the contents thereof and believe the same to be true.

X [Signature]
X _____

Signature of Claimant(s)

State of Washington
County of Whitman

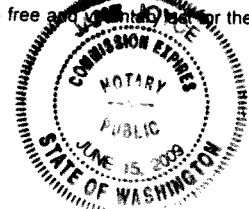
I certify that I know or have satisfactory evidence that Tom Webber is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: Feb 3 2009

Jane Joyce JANE JOYCE

Signature: [Signature]

Title: Notary Public
My appointment expires: 6-15-2009



4. A motion to refer a Claim for Damages submitted by Erica Jensen for the sum of \$1,649.11 to the Washington State Transit Insurance Pool (WSTIP).

NOTES:

REQUEST FOR COUNCIL ACTION

For Meeting of: February 24, 2008

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ACTION REQUESTED

A motion to refer a Claim for Damages submitted by Erica Jensen for the sum of \$1,649.11 to Washington State Transit Insurance Pool (WSTIP).

=====

BACKGROUND

On February 4, 2009, Erica Jensen submitted a Claim for Damages in the amount of \$1,649.11 for damages allegedly occurring due to City negligence. In accordance with the provisions of Section 1.98.030 of the Pullman City Code, the Council should direct that this claim be referred to WSTIP.

=====

RECOMMENDATION

That the motion be passed.

=====

FISCAL IMPACT

\$_____ Budgeted Expenditures

BARS Code Number

=====

SUBMITTED BY

=====

ATTACHMENTS FOR COUNCIL REVIEW/ACTION

Jane Joyce

Name

1. Claim for Damages - Jensen

Deputy City Clerk

Title

Finance

Department

=====

REVIEWED BY

Initial

Date

Department Head

JW

2/5/09

City Supervisor

JFB

2/20/09

City Attorney
(As To Form)

May

2-20-09

CLAIM FOR DAMAGES FORM

Date Claim Form Received by Member 2/4/09 3:01pm rw

MEMBER CITY/ORGANIZATION: City of Pullman

Please take note that Erica Jensen, who resides at 480 Maiden Ln.
Apt. A Pullman, WA 991163, mailing address (same)
City of Pullman, home phone # 509 830-4946 work phone # (same), is claiming damages against
City of Pullman in the sum of \$ 1,1649.11 arising out of the following circumstances listed below.

DATE OF OCCURRENCE: 01/05/2009

TIME: 9:34 am

LOCATION OF OCCURRENCE: intersection of Maiden Ln & Spaulding St.

DESCRIPTION:

1. Describe occurrence explaining the nature of the defects or acts of negligence causing damages.

Please see Police Report (attached)

(attach an extra sheet for additional information, if needed)

2. Provide a list of witnesses, if applicable, to the occurrence including names, addresses, and phone numbers.

3. Attach copies of all documentation relating to expenses, injuries, losses, and/or estimates for repair.

4. Have you submitted a claim for damages to your insurance company?

☒ Yes ☐ No

If so, please provide the name of the insurance company:
 and the policy #: Unigard
10033160

** ADDITIONAL INFORMATION REQUIRED FOR AUTOMOBILE CLAIMS ONLY **

License Plate # <u>69D YUD</u>	Driver License # <u>WENSEELH1CR</u>
Type Auto: <u>2000 Pontiac Grand Am</u>	
(year) (make) (model)	
DRIVER:	OWNER: <u>Erica Jensen</u>
Address:	Address: <u>PO Box 1516</u>
Phone#:	Phone#: <u>Bickleton, WA 99322</u>
Passengers:	
Name:	Name:
Address:	Address:

* * NOTE: THIS FORM MUST BE SIGNED AND NOTARIZED * *

I, Erica L. Jensen, being first duly sworn, depose and say that I am the claimant for the above described; that I have read the above claim, know the contents thereof and believe the same to be true.

X Erica L. Jensen
 X _____

Signature of Claimant(s)

State of Washington
 County of Whitman

I certify that I know or have satisfactory evidence that Erica L. Jensen is the person who signed the above.

